



Notice to Comply

Application No.

10709572

Examiner

Louis Wollenberger

Applicant(s)

BENTWICH ET AL.

Art Unit

1635

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set in the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: A copy of the sequence listing in computer readable format has been submitted. However, the content of the CRF does not comply with 37 CFR 1.824(a)(1).

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the specification.**
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (571) 272-2510

For CRF Submission Help, call (571) 272-2501/2583.

PatentIn Software Program Support

Technical Assistance.....703-287-0200

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PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY



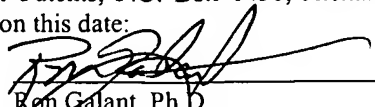
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Itzhak Bentwich
App. No.: 10/709,572
Conf. No.: 3571
Filing Date: May 14, 2004
Title: BIOINFORMATICALY
DETECTABLE GROUP OF NOVEL
REGULATORY
OLIGONUCLEOTIDES AND USES
THEREOF
Art Unit: 1635
Examiner: WOLLENBERGER, LOUIS V

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date:

5/30/08
Date


Ron Galant, Ph.D.
Registration No. 60,558

STATEMENT REGARDING SUBSTITUTE SEQUENCE LISTING UNDER 37 C.F.R. § 1.825(a)

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Please find submitted herewith a substitute copy of the Sequence Listing filed pursuant to 37 C.F.R. § 1.825(a), which is submitted in compact disc form in compliance with 37 C.F.R. § 1.52(e)(4). In view of the sequence listing submitted herewith being identical to the sequence listing submitted on January 30, 2007, Applicant respectfully submits that the substitute copy of the Sequence Listing contains no new matter in accordance with 37 C.F.R. § 1.825(a).

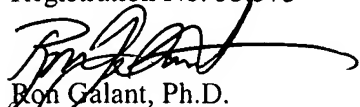
Respectfully submitted,

POLSINELLI SHALTON FLANIGAN SUELTHAUS PC

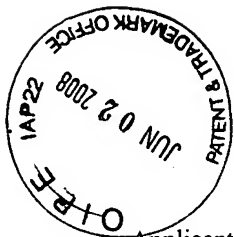
Dated: May 30, 2008

On behalf of: Teddy C. Scott, Jr., Ph.D.
Registration No. 53,573

By:


Ron Galant, Ph.D.
Registration No. 60,558
Customer No. 37808

POLSINELLI SHALTON FLANIGAN SUELTHAUS PC
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Itzhak Bentwich

App. No.: 10/709,572

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Filing Date: May 14, 2004

Title: BIOINFORMATICALLY DETECTABLE
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OLIGONUCLEOTIDES AND USES
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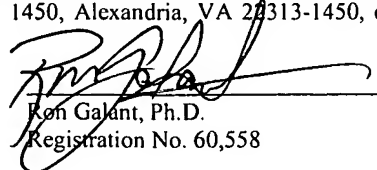
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Registration No. 60,558

TRANSMITTAL SHEET FOR SUBMISSION OF COMPACT DISCS UNDER 37 C.F.R. § 1.52(e)

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith are two copies of three compact discs (IBM-PC format, MS-Windows format) containing a substitute Sequence Listing submitted under 37 C.F.R. § 1.825(a). The contents of the compact discs are as follows:

CD	File Name	Size (KB)	Date of File
1	Patent24 US 10 709572 Sequence Listing May 2008 Amended seq 1.txt	614,400	May 20, 2008
2	Patent24 US 10 709572 Sequence Listing May 2008 Amended seq 2.txt	614,400	May 20, 2008
3	Patent24 US 10 709572 Sequence Listing May 2008 Amended seq 3.txt	310,513	May 20, 2008

Pursuant to 37 C.F.R. § 1.52(e)(4), Applicant hereby states that the two copies of the three compact discs are identical.

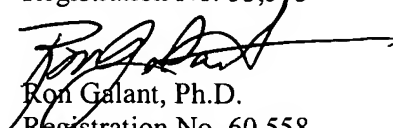
Respectfully submitted,

POL SINELLI SHALTON FLANIGAN SUELTHAUS PC

Dated: May 30, 2008

On behalf of: Teddy C. Scott, Jr., Ph.D.
Registration No. 53,573

By:


Ron Galant, Ph.D.
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5/30/2008
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Ron Galant
Ron Galant, Ph.D.
Registration No. 60,558

TRANSMITTAL LETTER

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits herewith the following documents:

1. Amendment under 37 C.F.R. § 1.111 (3 sheets)
2. Copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (1 sheet)
3. List of Applicant's patent applications (3 sheets)
4. Substitute Sequence Listing under 37 C.F.R. § 1.825(a), submitted on compact disc (two copies of three compact discs) under 37 C.F.R. § 1.52(e)
5. Substitute copy of the Sequence Listing in Computer Readable Form (§ 1.821(e)), (one copy of one compact disc) submitted pursuant to § 1.825(b)
6. Transmittal Sheet for Submission of Compact Disc Pursuant to 37 C.F.R. § 1.52(e) (1 sheet)
7. Statement Regarding Substitute Sequence Listing Under 37 C.F.R. § 1.825(a) (1 sheet)
8. Statement Pursuant to 37 C.F.R. § 1.825(b) (1 sheet)
9. Transmittal Letter (1 sheet)
10. Return post card

Respectfully submitted,
POL SINELLI SHALTON FLANIGAN SUELTHAUS PC

Dated: May 30, 2008

On behalf of: Teddy C. Scott, Jr., Ph.D.

By:

Registration No. 53,673
Ron Galant
Ron Galant, Ph.D.
Registration No. 60,558
Customer No. 37808

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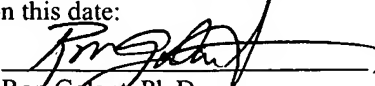
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5/30/08
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Ron Galant, Ph.D.
Registration No. 60,558

LIST OF APPLICANT'S PATENT APPLICATIONS

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

	Application No.	Filed
1	60/329,110	10/12/01
2	60/329,111	10/12/01
3	60/329,112	10/12/01
4	60/329,114	10/12/01
5	60/329,115	10/12/01
6	09/976,911	10/12/01
7	PCT/IL2002/000818	10/12/02
8	60/521,433	04/26/04
9	60/521,563	05/25/04
10	60/522,300	09/14/04
11	60/522,454	10/03/04
12	60/522,453	10/03/04
13	60/522,762	11/04/04
14	PCT/IB2005/003493	04/26/05
15	11/114,879	04/26/05
16	60/743,098	01/05/06
17	60/743,339	02/22/06
18	60/803,028	05/23/06
19	60/806,404	06/30/06
20	60/822,371	08/14/06
21	60/850,455	10/10/06
22	60/871,095	12/20/06
23	PCT/IB2007/003732	06/27/07
24	10/293,338	11/14/02
25	10/310,914	12/06/02
26	10/321,503	12/18/02

27	10/345,201	01/16/03
28	60/468,251	05/07/03
29	10/604,726	08/13/03
30	10/604,727	08/13/03
31	10/604,926	08/27/03
32	10/605,923	08/28/03
33	10/649,653	08/28/03
34	10/605,924	08/29/03
35	10/651,227	08/29/03
36	10/604,985	08/29/03
37	PCT/IL2003/000970	11/16/03
38	10/535,164	07/24/06
39	10/707,147	11/24/03
40	10/707,975	01/29/04
41	10/707,980	01/29/04
42	10/708,204	02/16/04
43	10/708,953	04/02/04
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69	11/429,720	05/08/06
70	60/825,247	09/11/06
71	PCT/IB2007/003116	05/04/07
72	60/886,851	01/26/07
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74	10/303,778	11/26/02
75	10/310,188	12/05/02

76	60/441,241	01/17/03
77	60/441,230	01/17/03
78	60/457,788	03/27/03
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87	PCT/IL2003/00998	11/26/03
88	10/536,560	12/20/05
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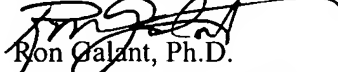
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